

IAP10 Rec'd PCT/PTO 06 DEC 2005

Attorney Docket: 27072U

MAIL STOP PCT

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| U.S. Department Of Commerce, Patent And Trademark Office | | Date: December 6, 2005 |
| Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371 | | U.S. Application No.: (If Known, Not Yet Assigned) 10/559383 |
| International Application No.: PCT/EP2004/051067 | International Filing Date: 9 June 2004 (09.06.2004) | Priority Date Claimed: 13 June 2003 (13.06.2003) EP |
| Title of Invention: FORMOTEROL AND CICLESONIDE COMBINATION | | |
| Applicants for DO/EO/US: DIETZEL, Klaus; MUELLER, Helgert | | |
| <p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>ITEMS 10 to 19 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2004/110460 A1, WITH PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: 23 DECEMBER 2004 (23.12.2004), WHICH CONSISTS OF 14 PAGES: 1 PAGE FOR THE COVER SHEET, 11 PAGES OF TEXTUAL SPECIFICATION, 2 PAGES OF 11 CLAIMS, 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A AND B TO BE EXAMINED; EXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/IB/332 (INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/RO/101 (PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST. | | |

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| U.S. Application Number: 107559387 (If known, Not Yet Assigned) | International Application Number: PCT/EP2004/051067 | Date: December 6, 2005 |
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| The following fees are submitted: 21. Basic National Fee \$ 300.00 22. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) \$ 100.00 All other situations \$ 200.00 23. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office \$ 400.00 All other situations \$ 500.00 <u>X</u> Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof. <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> | <u>CALCULATIONS</u> \$ 300.00 \$ 200.00 \$ 400.00 \$ 900.00 | <u>PTO USE ONLY</u> |
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| Surcharge of \$130.00 for furnishing the oath or declaration later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | \$ 0.00 | |
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| CLAIMS | NUMBER: FILED | NUMBER: EXTRA | RATE | | |
|--|------------------|------------------|-------------|---------------------------|----|
| TOTAL | 11-20= | 0 | X \$ 50.00 | \$ 0.00 | |
| INDEPENDENT | 1-3= | 0 | X \$ 200.00 | \$ 0.00 | |
| Multiple dependent claims(s) (if applicable) | | | + \$360.00 | \$ 0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 900.00 | |
| Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28). | | | | \$ 0.00 | |
| SUBTOTAL = | | | | \$ 900.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + | | | | \$ 0.00 | |
| TOTAL NATIONAL FEE = | | | | \$ 900.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | \$ 0.00 | |
| TOTAL FEES ENCLOSED = | | | | \$ 900.00 | |
| | | | | Amount to be: refunded | \$ |
| | | | | charged | \$ |

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U.S. Application Number:
(if known): Not Yet Assigned

International Application
Number: PCT/EP2004/051067

Date: December 6, 2005

10/559383

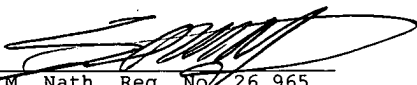
- a. ☒ One check in the amount of \$ 900.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. ☐ Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form.
☐ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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Attorney Docket: 27072U

Date: December 6, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DIETZEL, et al.

Serial No.: Not Yet Assigned

Filed: December 6, 2005

International Appl. No.: PCT/EP2004/051067

International Filing Date: 9 June 2004 (09.06.2004)

Title: FORMOTEROL AND CICLESONIDE COMBINATION

TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2004/110460 A1, with PCT/ISA/210 (International Search Report); International Publication Date: 23 December 2004 (23.12.2004), which consists of 14 pages:
 - 1 page for the Cover Sheet,
 - 11 pages of Textual Specification,
 - 2 pages of 11 Claims,
 - 0 sheets of Drawings;
- 4) Preliminary Amendment with Appendices A and B to be Examined;
- 5) Executed Declaration and Power of Attorney;
- 6) PCT/IB/332 (Information Concerning Elected Offices Notified of their Election);
- 7) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8) PCT/RO/101 (PCT Request);
- 9) Check No.: 1332 in the Amount of \$ 900.00 for Basic Filing Fee, which includes the Search and Examination Fees, as a Large Entity;
- 10) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By: 

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GMN/SMM/LE

(NATLPHASE.APPLICATION)